

Environmental Protection Agency

§ 80.573

this section may be used as approved by the Administrator.

[69 FR 39182, June 29, 2004]

EFFECTIVE DATE NOTE: At 69 FR 39182, June 29, 2004, § 80.571 was added, effective Aug. 30, 2004.

§ 80.572 What labeling requirements apply to retailers and wholesale purchaser-consumers of NR and NRLM diesel fuel and heating oil beginning June 1, 2010?

Any retailer or wholesale purchaser-consumer who sells, dispenses, or offers for sale or dispensing nonroad, locomotive or marine (NRLM) diesel fuel (including nonroad (NR) and locomotive or marine (LM)), or heating oil, must prominently and conspicuously display in the immediate area of each pump stand from which non-highway diesel fuel is offered for sale or dispensing, one of the following legible labels, as applicable, in block letters of no less than 24-point bold type, printed in a color contrasting with the background:

(a) From June 1, 2010 and beyond, any retailer or wholesale purchaser-consumer who sells, dispenses, or offers for sale or dispensing, motor vehicle diesel fuel subject to the 15 ppm sulfur standard of § 80.520(a)(1), must affix the following conspicuous and legible label, in block letters of no less than 24-point bold type, and printed in a color contrasting with the background, to each pump stand:

ULTRA-LOW SULFUR HIGHWAY DIESEL
FUEL (15 PPM SULFUR MAXIMUM)

Required for use in all highway diesel vehicles and engines.

Recommended for use in all diesel vehicles and engines.

(b) From June 1, 2010 through May 31, 2012, for pumps dispensing NR diesel fuel subject to the 15 ppm sulfur standard of § 80.510(b):

ULTRA-LOW SULFUR NON-HIGHWAY
DIESEL FUEL (15 PPM SULFUR MAXIMUM)

Required for use in all model year 2011 and later nonroad diesel engines.

Recommended for use in all other non-highway diesel engines.

WARNING

Federal law *prohibits* use in highway vehicles or engines.

(c) From June 1, 2010 through September 30, 2014, for pumps dispensing NRLM diesel fuel subject to the 500 ppm sulfur standard of § 80.510(a):

LOW SULFUR NON-HIGHWAY DIESEL
FUEL (500 PPM SULFUR MAXIMUM)

WARNING

Federal law *prohibits* use in all model year 2011 and newer nonroad engines.

May damage model year 2011 and newer nonroad engines.

Federal law *prohibits* use in highway vehicles or engines.

(d) From June 1, 2010 through September 30, 2012, for pumps dispensing LM diesel fuel subject to the 500 ppm sulfur standard of § 80.510(a):

LOW SULFUR LOCOMOTIVE AND MARINE
DIESEL FUEL (500 PPM SULFUR MAXIMUM)

WARNING

Federal law *prohibits* use in nonroad engines or in highway vehicles or engines.

(e) The labels required by paragraphs (a) through (d) of this section must be placed on the vertical surface of each pump housing and on each side that has gallon and price meters. The labels shall be on the upper two-thirds of the pump, in a location where they are clearly visible.

(f) Alternative labels to those specified in paragraphs (a) through (d) of this section may be used as approved by the Administrator.

[69 FR 39183, June 29, 2004]

EFFECTIVE DATE NOTE: At 69 FR 39183, June 29, 2004, § 80.572 was added, effective Aug. 30, 2004.

§ 80.573 What labeling requirements apply to retailers and wholesale purchaser-consumers of NRLM diesel fuel and heating oil beginning June 1, 2012?

Any retailer or wholesale purchaser-consumer who sells, dispenses, or offers for sale or dispensing nonroad, locomotive or marine (NRLM) diesel fuel (including nonroad (NR) and locomotive or marine (LM)), or heating oil, must prominently and conspicuously display in the immediate area of each pump stand from which non-highway diesel fuel is offered for sale or dispensing, one of the following legible labels, as applicable, in block letters of

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no less than 24-point bold type, printed in a color contrasting with the background:

(a) From June 1, 2012 through May 31, 2014, for pumps dispensing NRLM diesel fuel subject to the 15 ppm sulfur standard of § 80.510(c):

ULTRA-LOW SULFUR NON-HIGHWAY DIESEL FUEL (15 PPM SULFUR MAXIMUM)

Required for use in all model year 2011 and later nonroad diesel engines.

Recommended for use in all other non-highway diesel engines.

WARNING

Federal law *prohibits* use in highway vehicles or engines.

(b) The labels required by paragraph (a) of this section must be placed on the vertical surface of each pump housing and on each side that has gallon and price meters. The labels shall be on the upper two-thirds of the pump, in a location where they are clearly visible.

(c) Alternative labels to those specified in paragraph (a) of this section may be used as approved by the Administrator.

[69 FR 39183, June 29, 2004]

EFFECTIVE DATE NOTE: At 69 FR 39183, June 29, 2004, § 80.573 was added, effective Aug. 30, 2004.

§ 80.574 What labeling requirements apply to retailers and wholesale purchaser-consumers of NRLM diesel fuel, or heating oil beginning June 1, 2014?

Any retailer or wholesale purchaser-consumer who sells, dispenses, or offers for sale or dispensing nonroad, locomotive or marine (NRLM) diesel fuel (including nonroad (NR) and locomotive or marine (LM)), or heating oil, must prominently and conspicuously display in the immediate area of each pump stand from which non-highway diesel fuel is offered for sale or dispensing, one of the following legible labels, as applicable, in block letters of no less than 24-point bold type, printed in a color contrasting with the background:

(a) From June 1, 2014 and beyond, for pumps dispensing NRLM diesel fuel subject to the 15 ppm sulfur standard of § 80.510(c):

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ULTRA-LOW SULFUR NON-HIGHWAY DIESEL FUEL (15 PPM SULFUR MAXIMUM)

Required for use in all nonroad diesel engines.

Recommended for use in all locomotive and marine diesel engines.

WARNING

Federal law *prohibits* use in highway vehicles or engines.

(b) From June 1, 2014 and beyond, for pumps dispensing LM diesel fuel subject to the 500 ppm sulfur standard of § 80.510(a):

LOW SULFUR LOCOMOTIVE OR MARINE DIESEL FUEL (500 PPM SULFUR MAXIMUM)

WARNING

Federal law *prohibits* use in nonroad engines or in highway vehicles or engines.

Its use may damage these engines.

(c) The labels required by paragraphs (a) and (b) of this section must be placed on the vertical surface of each pump housing and on each side that has gallon and price meters. The labels shall be on the upper two-thirds of the pump, in a location where they are clearly visible.

(d) Alternative labels to those specified in paragraphs (a) and (b) of this section may be used as approved by the Administrator.

[69 FR 39183, June 29, 2004]

EFFECTIVE DATE NOTE: At 69 FR 39183, June 29, 2004, § 80.574 was added, effective Aug. 30, 2004.

§§ 80.575–80.579 [Reserved]

SAMPLING AND TESTING

§ 80.580 What are the sampling and testing methods for sulfur?

(a) *Diesel fuel and diesel fuel additives.* For purposes of §§ 80.520 and 80.521, the sulfur content of diesel and diesel fuel additives is to be determined in accordance with this section.

(1) *Sampling method.* The applicable sampling methodology provided in § 80.330(b).

(2) *Test method for sulfur.* (i) For diesel fuel and diesel fuel additives subject to the 15 ppm sulfur standard of § 80.520(a)(1), the American Society for Testing and Materials (ASTM) standard method D 6428–99, entitled “Test